

# **EPA's Brownfields ARC Grant Competition**

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**Tips for Writing a Successful  
Brownfields Proposal  
Threshold**



The United States Environmental Protection Agency Region 6

# Overview of EPA's Brownfields Program

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Assessment

Cleanup

RLF



# Threshold – General

All Threshold criteria subject to change based on final FY08 Guidelines

Assessment	Cleanup	RLF
<ol style="list-style-type: none"><li>1. Can apply up to 2 grants</li><li>2. Haz/Petro are always separate</li><li>3. Community Wide – neighborhood, citywide, countywide</li><li>4. Site specific</li></ol>	<ol style="list-style-type: none"><li>1. Can apply up to 3 grants for 3 sites</li><li>2. Haz/Pet can be requested in one proposal</li><li>3. Maximum is \$200K</li><li>4. Match per cleanup 20%</li></ol>	<ol style="list-style-type: none"><li>1. Can apply for one RLF</li><li>2. Applicant can form a coalition with other eligible applicants</li><li>3. Haz and Petro can be in one RLF proposal. Separate budget for each</li></ol>



# Threshold- General

Assessment	Cleanup	RLF
<p>5. Assessment Grant Community Wide 200K</p> <p>6. Site Specific tops out at \$200K but can seek a waiver up to 350K</p> <p>7. Max per site is 350K</p>	<p>5. Eligible applicant must OWN or commit to own (fee simple title) by June 30, 2008</p> <p>6. Phase I ESA must be completed and Phase II must be underway or completed prior to proposal submission</p>	<p>4. \$ can be “subgranted” up to 40% of RLF grant to eligible entities AND nonprofits</p> <p>5. Has a 20% match</p> <p>6. RLF primary along with its coalition can compete for \$1M per coalition member up to 5M</p>



# Threshold General

## Assessment

8. Site specific – 350K waiver based on: level of contamination, size of site, or status of ownership

## Cleanup

7. **Before Nov 1, 2006** – A Phase I ESA completed in accordance with ASTM E1527-00 – owner applicant qualifies as Bona Fide Prospective Purchaser (BFPP)

**After Nov 1, 2006** - A Phase I ESA completed in accordance with the All Appropriate Inquiry Rule or ASTM E1527-05- owner/ applicant qualifies BFPP)



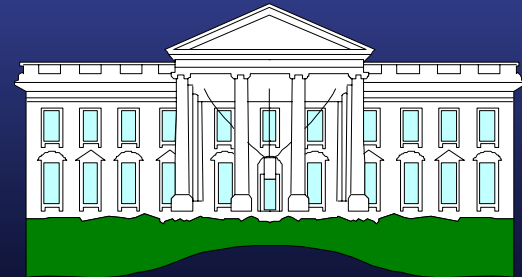
# Am I Eligible for EPA Brownfields Funding?

## Eligible Entities

- ✓ States
- ✓ Tribes
- ✓ Local governments and Redevelopment Agencies
- ✓ Regional councils of government
- ✓ Non-profits\*

## Excluded Entities

- Potentially liable parties
- Private owners/developers





# Threshold Cover Letter

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- COVER LTR (Number of pages counts towards 18-page proposal limit!)
- Use official letterhead of organization
- Signed by OFFICIAL with authority to commit organization
- Identify Brownfields for which Grant applicant is applying
- Provide a contact
- Include a brief description of project and how BF Grant will make a difference!
- Fund amount/type request
- Project location
- Date
- Project Period
- Population
- Cooperative Partners



# What Sites are Eligible for EPA Brownfields Funding?

## Eligible Sites

- ✓ Hazardous substances
- ✓ Contaminants
- ✓ Pollutants
- ✓ Petroleum products
- ✓ Illegal drug labs
- ✓ Mine-scarred lands



## Excluded Sites

- Facilities listed (or proposed for listing) on the National Priorities List;
- Facilities subject to UAOs, court orders, AOs on consent, or judicial consent decrees issued or entered into by parties under CERCLA; and
- Facilities that are subject to the jurisdiction, custody or control of a department or agency of the United States government (except land held in trust for an Indian Tribe)







# General Reminders - Threshold Criteria

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## Applicant Eligibility

- Are you an eligible applicant as defined on pg. 13 of the Guidelines?

## Community Notification/Request for Comment of Proposal

- Did you provide an opportunity for the community to comment on THIS grant proposal?

## State Support Letter

- Did you attach a letter from your state environmental authority acknowledging your intent to apply for EPA brownfields funding?



# General Reminders Threshold Criteria

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## State Petroleum Eligibility Letter

- If you are applying for petroleum funds, have you requested a SEPARATE site eligibility letter from your state environmental authority (see Guidelines, pg. 45)

## Cleanup Authority/Oversight Structure \*

- Have you described your ability to oversee a cleanup and your intent to enroll the site into a state Voluntary Cleanup Program?

## Cost Share \*

- Have you demonstrated your intent to provide a 20% cost share?

## Minimum Assessment, Ph I \*\*

- Have you completed at least a Phase I Environmental Site Assessment on the site? Has a Phase II been started?

*\*Cleanup and RLF only*

*\*\*Cleanup only*



# General Reminders Threshold Criteria

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- Investigate, Investigate, and Investigate
  - Look at Environmental Databases
  - Know Who Owns Site
  - Know Site History
- Give State Enough Time to Provide Letters
- Do Everything Suggested for Community Notification
  - Then Do More
  - Attach Documentation

# Brownfields Guidelines

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Specific Criteria  
For ARC



# Threshold – Assessment Community Wide

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- A. Applicant Eligibility
  - IF Applicant is not GOV. then include documentation you qualify as WHAT?
- B. Community Notification
  - Public notice/comment OVERACHIEVE!!!
- C. State or Tribal Letter
  - CURRENT (how fresh is that letter?)



# Threshold - Assessment Community Wide

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## HAZARDOUS

- D. Site Eligibility etc.

***SKIP!!!***

***GO TO RANKING CRITERIA***

## PETROLEUM

- E. Site Eligibility etc.

***SKIP!!!***

***GO TO RANKING CRITERIA***



# Threshold – Assessment Site Specific Hazardous

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- Types of Site
- Hazardous Substance, Pollutant, or Contaminant
- Controlled Substance – METH LAB
- Mine Scarred - i.e. COAL MINE OR STRIP MINING (reference appendix 3)
- Asbestos, Asbestos-Contained Materials (ACM), Lead Based Paint contamination are eligible for BF Grant Funds



# Threshold Assessment Site Specific Petroleum

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- Petroleum or Petroleum Products
- Some examples of petroleum brownfields are:
  - Abandoned Gas Stations
  - Freight Truck Operations
  - Abandoned Oil Wells, waste ponds
  - Pipelines





# Threshold – Cleanup Hazardous

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- Applicant eligibility
- A. IF Applicant is a nonprofit, provide documentation re: nonprofit status
- B. Community Notification
  - Public notice/comment OVERACHIEVE!!!
- C. State or Tribal Letter
  - CURRENT (how fresh is that letter?)



# Threshold – Cleanup Hazardous

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- HAZARDOUS – Substance, Pollutant, or Contaminant
- Controlled Substance – METH LAB
- Mine Scarred - i.e. COAL MINE OR STRIP MINING (reference appendix 3)



# Threshold – Cleanup Hazardous

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- Asbestos, Asbestos-Contained Materials (ACM), Lead-BASED PAINT contamination are eligible for Brownfields Grant funds under hazardous substances.
- Asbestos, ACM and/or Pb-Based Paint released to ambient air, deposited in soil or groundwater?



# Threshold Cleanup Hazardous

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- D. Site Eligibility and Property Eligibility
  - ANSWER ALL QUESTIONS 1. THROUGH 9!!!



# Threshold Cleanup Petroleum

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- Some examples of petroleum brownfields are:
  - Abandoned Gas Stations
  - Freight Truck Operations
  - Abandoned Oil Wells, waste ponds
  - Pipelines



# Threshold Cleanup Petroleum

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- ***ANSWER ALL QUESTIONS 1. THROUGH 6!!!***
  - Attach State Petroleum Eligibility Determination LTR in Response to Question 9, or
  - Answer All of Question 9 So EPA Can Make Petroleum Eligibility Determination



# Threshold RLF

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## A. Applicant Eligibility

- IF Applicant is not GOV. then include documentation you qualify as WHAT?

## B. Description of Jurisdiction

- No site-specific RLF
- Provide description of boundaries of applicant and coalition members

## C. Community Notification

- Public notice/comment **OVERACHIEVE!!!**



# Threshold RLF

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## F. COST SHARE 20% 1M RLF + \$200K MATCH

- Fees from borrowers, interest on loans, and other “program income” can be used to match . . . but applicant must “guarantee” match from other sources
- Hardship Waiver Can Be Requested . . .





# Threshold RLF

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## G. LEGAL AUTHORITY TO MANAGE A RLF

- Legal opinion from applicant's legal counsel that applicant has the legal authority to manage RLF
- Legal opinion must include citation of statute, regulation, etc. that "authorizes" applicant to manage RLF



# Questions ???

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